



S/N 09/884,862

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Hauser et al.

Examiner: Scott M. Getzow

Serial No.: 09/884,862

Group Art Unit: 3762

Filed: June 19, 2001

Docket: 279.024US6

Title: IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM
WITH PULSE GENERATOR HOUSING SERVING AS OPTIONAL
ADDITIONAL ELECTRODE

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(NE)

TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

I, Timothy E. Bianchi, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on June 19, 2001. I am making this petition on behalf of Cardiac Pacemakers, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, Cardiac Pacemakers, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/884,862) and to U.S. Patent No. 6,280,462. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignment executed and filed for the parent application (Serial No. 07/917,899), issued as U.S. Patent No. 5,385,574. The assignment for U.S. Patent No. 5,385,574 was filed with the United States Patent and Trademark Office on November 27, 2002. The above-identified patent application (Serial No. 09/884,862) is a continuation of U.S. Patent No. 6,280,462, which is a continuation of U.S. Patent No. 6,157,860, which is a continuation of U.S. Patent No. 5,916,238, which is a continuation of U.S. Patent No. 5,713,926, which is a continuation of U.S. Patent No. 5,385,574.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Cardiac Pacemakers, Inc., seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,280,462. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,280,462 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,280,462 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

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Fee Status

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee of \$55.00, which is required under 37 C.F.R. §1.20(d) to file a statutory disclaimer, and any additional fees deemed necessary, to Deposit Account No. 19-0743.

Respectfully submitted,

ROBERT G. HAUSER ET AL.

By their Representatives,

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Date Dec. 16, 2002 By Timothy E. Bianchi
Timothy E. Bianchi
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 16 day of December, 2002.

GREG HANSON
Name

[Signature]
Signature